



EQUAL PAY FOR EQUAL WORK ACT

Implementation of Measures to Ensure Equal Pay for Equal Work SB23-105

Improving Pay Equity for Workers and Businesses Alike

Sponsors

Senators Jessie Danielson & Janet Buckner
Reps. Serena Gonzales-Gutierrez & Jennifer Bacon

Colorado Values Strong & Fair Workplaces

Our economy and communities are stronger when workplaces are fair and transparent. Pay transparency increases productivity, employee retention and increased profits. And when almost half of our workforce is women – and 60% of them are primary or co-breadwinner, Colorado’s families depend on pay equity.

Colorado Leads In Pay Equity

Recognizing that historical workplace discrimination fueled persistent pay secrecy and gaps, Colorado passed the Equal Pay for Equal Work Act in 2019, leading 3 states in passing pay equity laws to ensure fair pay for all, especially women of color. Colorado led the national trend for pay transparency laws that now cover 1 in 4 workers nationwide. The existing Equal Pay for Equal Work Act:

- **Advances pay equity** by requiring equal pay for substantially similar work
- **Promotes transparency** with pay and benefits in job postings and protections for employees to share pay information
- **Expands opportunity** by requiring notification of promotional opportunities

Colorado Learns More About Pay Equity Implementation

While Colorado’s 2019 Equal Pay bill helped address pay inequities, implementation taught us that:

- **Workers** find that back pay is too limited when pay disparities go back beyond three years
- **Employers** want clearer administrative rules for job and promotion notifications
- **Workers and employers** alike believe that the court process is expensive and time-consuming

Colorado Should Improve Pay Equity Law

In order to serve Colorado workers better, SB 23-105 will increase workplace fairness and transparency:

- **For workers:** Expand back pay from 3 to up to 6 years for workers wrongly underpaid that long
- **For employers:** Clarify job and promotion vacancy opportunity notification and simplify transparency. Responds to the request of public and private employers, by creating four specific categories of employment and exempts two of those categories, career development and career progression, from the transparency and posting requirements of the law.
- **For both workers and employers:** Authorize the Department of Labor and Employment to investigate and act upon potential violations to help everyone avoid going to court

Contact: Jennifer Miles, jennifer@frontlinepublicaffairs.com, 303-668-3979 & Ruth Aponte, raponte@aponte-busam.com, 303-907-1980



Supporters of SB23-105 Ensure Equal Pay for Equal Work (as of 3/13/23):

- 9to5 Colorado
- A Better Balance
- ACLU of Colorado
- Anti-Defamation League Mountain States
- Bell Policy Center
- Business and Professional Women
- Centennial State Prosperity
- Colorado Black Women for Political Action
- Colorado Business and Professional Women
- Colorado Center on Law and Policy
- Colorado Consumer Health Initiative
- Colorado Fiscal Institute
- Colorado Children's Campaign
- Colorado Organization for Latina Opportunity and Reproductive Rights (COLOR)
- Colorado Plaintiff Employment Lawyers Association
- Colorado Women's Bar Association
- Elephant Circle
- Interfaith Alliance of Colorado
- League of Women Voters of Colorado
- Mile High United Way
- National Council of Jewish Women
- ProgressNow Colorado Education
- Sister-to-Sister: International Network of Professional African American Women, Inc.
- SiX
- Spring Institute for Intercultural Learning
- Towards Justice
- United for a New Economy
- The Women's Foundation of Colorado
- Women's Lobby of Colorado

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